

November 13, 2009

UNITED STATES COURT OF APPEALS

Elisabeth A. Shumaker
Clerk of Court

FOR THE TENTH CIRCUIT

LUKE PREACHER,

Plaintiff - Appellant,

v.

No. 09-1493

(D.C. No.1:09-CV-00278-CMA-MEH)

RON WILEY, Warden ADX-Florence;
B. A. BLEDSOE, Warden USP
Marion; J. FOX, Associate Warden
ADX-Florence; MARK COLLINS,
Unit Manager ADX-Florence;
GEORGE KNOX, Counselor
ADX-Florence; J. MANLEY,
Lieutenant ADX-Florence; TINA
SUDLOW, Case Manager
ADX-Florence; CORR. OFFICER
MANSPEAKER, ADX-Florence;
CORRECTIONAL OFFICER
BREAM, ADX-Florence; J. D.
WALTERS, Lieutenant ADX
Florence; CORR. OFFICER
BARBARA BATULIS,
ADX-Florence; LIEUTENANT C.
RIVERS; CAPTAIN KRIST; JOHN
DOE, Unknown Person,

Defendants - Appellees.

ORDER

Before **TACHA, HARTZ**, and **MURPHY**, Circuit Judges.

The plaintiff appeals a recommendation made by a magistrate judge. We

dismiss for lack of jurisdiction.

Except for proceedings conducted by the magistrate judge on consent of the parties pursuant to 28 U.S.C. § 636(c), a court of appeals lacks jurisdiction to hear an appeal taken directly from a decision of a magistrate judge. *See Colorado Building & Construction Trade Council v. B.B. Andersen Construction Co.*, 879 F.2d 809 (10th Cir. 1989).

APPEAL DISMISSED.

Entered for the Court
ELISABETH A. SHUMAKER, Clerk

A handwritten signature in cursive script, appearing to read "Ellen Rich Reiter".

Ellen Rich Reiter
Deputy Clerk/Jurisdictional Attorney